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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/806,044

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David J. Thomsen

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EXAMINER

DAYE, CHELCIE L

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/806,044	Applicant(s) THOMSEN, DAVID J.	
	Examiner CHELCIE DAYE	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3, 10-12 and 30-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3, 10-12 and 30-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is issued in response to applicant's amendment filed November 03, 2008.
2. Claims 3, 10-12, and 30-35 are presented. No claim added and claims 1-2, 4-9, and 13-29 remain cancelled.
3. Claims 3, 10-12, and 30-35 are pending.
4. Applicant's arguments filed November 03, 2008, have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 3,10-12, and 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pullen (US Patent Application No. 20040064390) filed September 26, 2002, in view of Kauderer (US Patent Application No. 20040172311) filed February 23, 2003, and further in view of "O*NET 98 Data Dictionary", Release 1.0, referred to hereinafter as 'ONET'.**

Regarding Claim 3, Pullen discloses a method for providing and collecting information associated with a collection of occupational information, the method comprising:

providing a publicly available web site for users of occupational information ([0030], lines 1-13, Pullen)¹, wherein the publicly available web site allows the users of occupational information to access information associated with the collection of occupational information ([0031], Pullen) and to contribute information used to update the collection of occupational information ([0033], Pullen)²;

providing access to information recently contributed via the publicly available web site ([0040], Pullen), wherein the recently contributed information includes information contributed using questionnaire forms accessible from the publicly available web site ([0034], Pullen)³. While it is inherently clear that Pullen discloses the steps taken to update occupational information, which therefore warrants the step of updating, the actual step of updating is not explicitly mentioned. As such, Kauderer discloses updating the collection of occupational information based on receiving a submission of a questionnaire form accessed from the publicly available web site and at least partially completed, wherein the questionnaire form specifies one or more data measures associated with an occupation ([0029], lines 22-24 and [0075], Kauderer)⁴. Pullen and

¹ Examiner Notes: The occupational information is represented by wages and benefits information for a company.

² Examiner Notes: The option of submitting data into a survey corresponds to the contributed information. Also, the "Sea Sand Resort" is the selected information to be updated.

³ Examiner Notes: The survey represents the questionnaire form.

⁴ Examiner Notes: As stated within paragraph [0028], lines 10-16; wherein "the survey presents a list of tasks performed by the employee and requests the employee to assign a rank to each of the tasks. Therefore, the task list within the survey represents the questionnaire form.

Kauderer are analogous art because they are from the same field of endeavor of web-based information services for companies. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Kauderer's teachings into the Pullen system. A skilled artisan would have been motivated to combine as suggested by Kauderer at paragraph [0004], in order to provide a system for creating and administering a survey. This would be beneficial to the system for evaluation of the activities or tasks within a company and to provide greater flexibility for the information. As such, updating the occupational information provides for a greater flexibility in analyzing the data and generating the needed information. However, the combination of Pullen and Kauderer, are silent with respect to including occupational titles and data measures for each of the occupational titles in the collection and wherein the updating includes either (a) adding a new occupational title and the one or more associated data measures to the collection of occupational information or (b) modifying data measures associated with an occupational title that already exists in the collection of occupational information. On the other hand, ONET discloses including occupational titles and data measures for each of the occupational titles in the collection (pages 13-15 and 56-76, ONET) and wherein the updating includes either (a) adding a new occupational title and the one or more associated data measures to the collection of occupational information or (b) modifying data measures associated with an occupational title that already exists in the collection of occupational information (pages 48-55, ONET). Pullen, Kauderer, and ONET are analogous art because they are from the same field of endeavor of supplying occupational information. It would have been obvious to one of ordinary skill

in the art at the time of the invention to incorporate ONET's teachings into the Pullen and Kauderer system. A skilled artisan would have been motivated to combine in order to provide the user with information, which was more detailed and self-related to what the user desired and capable of performing.

Regarding Claim 10, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose in a computer system, a method for maintaining a collection of occupational information including descriptions of specific occupations, the method comprising:

providing end users with access to the collection of occupational information ([0030], lines 1-13, Pullen), including providing access to a questionnaire for receiving input from a user of the collection ([0032], Pullen), wherein the questionnaire is for association with a specified occupation for which information is maintained in the collection of occupational information ([0033], lines 1-6, Pullen)⁵, and wherein the questionnaire is a structured analysis questionnaire configured to obtain worker measure information related to the required skills for the specified occupation (pages 48-55, ONET);

receiving the questionnaire from the end user ([0032], Pullen);

analyzing the information in the received questionnaire ([0035], lines 1-8, Pullen);

providing the user with results of the analysis of the questionnaire ([0068], lines 1-5, Kauderer); and

⁵ Examiner Notes: The hospitality industry corresponds to the specified occupation.

updating the collection of occupational information to include information extracted from the questionnaire ([0029], lines 22-24, Kauderer).

Regarding Claim 11, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the questionnaire is a job analysis questionnaire ([0028], lines 7-10, Kauderer).

Regarding Claim 12, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the questionnaire is a job analysis questionnaire and wherein the questionnaire is pregraded to provide default answers for the specified occupation (pages 39-47, ONET).

Regarding Claim 30, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the one or more modified data measures includes skill collection information for the associated occupation (pages 3,7,11-12, and 85, ONET).

Regarding Claim 31, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the one or more modified data measures includes industry definition information for the associated occupation (pages 14 and 87, ONET).

Regarding Claim 32, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the one or more modified data measures includes stress related work measure information for the associated occupational title (pages 36,38,and 86, ONET).

Regarding Claim 33, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the updating includes performing statistical analysis relating to the worker measure information associated with the specified occupation (pages 13 and 56-76, ONET).

Regarding Claim 34, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the questionnaire is a direct analysis questionnaire configured so that raw data from the form is in a format that facilitates direct submission to a raw data database associated with the computer system ([0007] and [0031-0033], Pullen).

Regarding Claim 35, the combination of Pullen in view of Kauderer, and further in view of ONET, disclose the method wherein the questionnaire is a job analysis questionnaire that models publicly available work desk papers used by disability determination adjudicators (pages 77-83, ONET).

Response to Arguments

7. The declarations filed on November 03, 2008 under 37 CFR 1.131 have been considered but is ineffective to overcome the Pullen and Kauderer references for the reasons set forth below. Therefore, the 35 USC 103(a), rejection of claims 3,10-12, and 30-35 is maintained.

8. MPEP 715.07 states, in part,

III. THREE WAYS TO SHOW PRIOR INVENTION

“As discussed above, 37 CFR 1.131(b) provides three ways in which an applicant can establish prior invention of the claimed subject matter. The showing of facts must be sufficient to show:

(A) (actual) reduction to practice of the invention prior to the effective date of the reference; or

(B) conception of the invention prior to the effective date of the reference coupled with due diligence from prior to the reference date to a subsequent (actual) reduction to practice; or

(C) conception of the invention prior to the effective date of the reference coupled with due diligence from prior to the reference date to the filing date of the application (constructive reduction to practice).”

It is unclear to the examiner whether the applicant is taking approach (B) above to show prior invention or approach (C) to show prior invention. As such, the examiner is unsure how to evaluate the evidence submitted in view of the fact

that applicant is either intending to show conception prior to the effective date with the (actual) reduction to practice or constructive reduction to practice.

9. The evidence submitted is insufficient to establish diligence from a date prior to the reference date of the Rizvi reference to either a constructive reduction to practice or an actual reduction to practice.

MPEP 715.07(a) states, in part,

“Where conception occurs prior to the date of the reference, but reduction to practice is afterward, **it is not enough merely to allege that applicant or patent owner had been diligent.** Ex parte Hunter, 1889 C.D. 218, 49 O.G. 733 (Comm’r Pat. 1889). Rather, applicant must show evidence of facts establishing diligence.” ...“What is meant by diligence is brought out in Christie v. Seybold, 1893 C.D. 515, 64 O.G. 1650 (6th Cir. 1893). In patent law, an inventor is either diligent at a given time or he is not diligent; there are no degrees of diligence. An applicant may be diligent within the meaning of the patent law when he or she is doing nothing, if his or her lack of activity is excused. Note, however, that the record must set forth an explanation or excuse for the inactivity; the USPTO or courts will not speculate on possible explanations for delay or inactivity. See In re Nelson, 420 F.2d 1079, 164 USPQ 458 (CCPA 1970). Diligence must be judged on the basis of the particular facts in each case. See MPEP § 2138.06 for a detailed discussion of the diligence requirement for proving prior invention.

Under 37 CFR 1.131, the critical period in which diligence must be shown begins just prior to the effective date of the reference or activity and ends with the date of a reduction to practice, either actual or constructive (i.e., filing a United States patent application).”

MPEP 2138.06 states, in part,

“THE ENTIRE PERIOD DURING WHICH DILIGENCE IS REQUIRED MUST BE
ACCOUNTED FOR BY EITHER AFFIRMATIVE ACTS OR ACCEPTABLE EXCUSES

An applicant must account for the entire period during which diligence is

required. Gould v. Schawlow, 363 F.2d 908, 919, 150 USPQ 634, 643 (CCPA 1966)

(Merely stating that there were no weeks or months that the invention was not worked on
is not enough.); In re Harry, 333 F.2d 920, 923, 142 USPQ 164, 166 (CCPA 1964)

(statement that the subject matter “was diligently reduced to practice” is not a showing
but a mere pleading). **A 2-day period lacking activity has been held to be fatal.** In re

Mulder, 716 F.2d 1542, 1545, 219 USPQ 189, 193 (Fed. Cir. 1983) (37 CFR 1.131

issue); Fitzgerald v. Arbib, 268 F.2d 763, 766, 122 USPQ 530, 532 (CCPA 1959) (Less
than 1 month of inactivity during critical period. Efforts to exploit an invention

commercially do not constitute diligence in reducing it to practice. An actual reduction to
practice in the case of a design for a three-dimensional article requires that it should be

embodied in some structure other than a mere drawing.); Kendall v. Searles, 173 F.2d
986, 993, 81 USPQ 363, 369 (CCPA 1949) (**Diligence requires that applicants must**

be specific as to dates and facts.).

The period during which diligence is required must be accounted for by either

affirmative acts or acceptable excuses. Rebstock v. Flouret, 191 USPQ 342, 345 (Bd.

Pat. Inter. 1975); Rieser v. Williams, 225 F.2d 419, 423, 118 USPQ 96, 100 (CCPA

1958) (Being last to reduce to practice, party cannot prevail unless he has shown that he
was first to conceive and that he exercised reasonable diligence during the critical period

from just prior to opponent’s entry into the field); Griffith v. Kanamaru, 816 F.2d 624, 2
USPQ2d 1361 (Fed. Cir. 1987)” ...

“DILIGENCE REQUIRED IN PREPARING AND FILING PATENT
APPLICATION

The diligence of attorney in preparing and filing patent application inures to the benefit of the inventor. Conception was established at least as early as the date a draft of a patent application was finished by a patent attorney on behalf of the inventor. Conception is less a matter of signature than it is one of disclosure. Attorney does not prepare a patent application on behalf of particular named persons, but on behalf of the true inventive entity. **Six days to execute and file application is acceptable.** Haskell v. Coleburne, 671 F.2d 1362, 213 USPQ 192, 195 (CCPA 1982). See also Bey v. Kollonitsch, 866 F.2d 1024, 231 USPQ 967 (Fed. Cir. 1986) (Reasonable diligence is all that is required of the attorney. Reasonable diligence is established if attorney worked reasonably hard on the application during the continuous critical period. If the attorney has a reasonable backlog of unrelated cases which he takes up in chronological order and carries out expeditiously, that is sufficient. Work on a related case(s) that contributed substantially to the ultimate preparation of an application can be credited as diligence.).”

Applicant has failed to describe and show how they were diligent between the period of September 26, 2002 until the filing of their provisional application on March 21, 2003 in order to overcome the Pullen reference (more specifically the applicant must show diligence not only on a month-to-month basis but more so within days). Also, applicant has failed to describe and show how they were diligent between the periods of February 24, 2003 until the filing of their provisional application on March 21, 2003 in order to overcome the Kauderer reference.

10. The declarations submitted by the inventor states that he “conceiving of this invention, from prior to September 26, 2002, and pursued it diligently and reduced the invention to practice by at least one or more of the following acts: implementing and testing the invention, demonstrating the invention to representatives from the Social Security Administration on September 18, 2002, and releasing to the public a beta version of a software product embodying the invention on a CD-ROM, the software last modified on September 20, 2002 and released to the public in October 2002”. The examiner respectfully asserts that **this is not enough to prove actual reduction to practice**. MPEP 2138.05 states, in part,

II. REQUIREMENTS TO ESTABLISH ACTUAL REDUCTION TO PRACTICE

“The same evidence sufficient for a constructive reduction to practice may be insufficient to establish an actual reduction to practice, which **requires a showing of the invention in a physical or tangible form** that shows every element of the count. *Wetmore v. Quick*, 536 F.2d 937, 942, 190 USPQ 223, 227 (CCPA 1976). For an actual reduction to practice, the invention must have been sufficiently tested to **demonstrate that it will work for its intended purpose**, but it need not be in a commercially satisfactory stage of development.”

III. TESTING REQUIRED TO ESTABLISH AN ACTUAL REDUCTION TO PRACTICE

““The nature of testing which is required to establish a reduction to practice depends on the particular facts of each case, especially the nature of the invention.” *Gellert v. Wanberg*, 495 F.2d 779, 783, 181 USPQ 648, 652 (CCPA 1974) (“an invention may be tested sufficiently ... where less than all of the conditions of actual use are duplicated by the tests”); *Wells v. Fremont*, 177 USPQ 22, 24-5 (Bd. Pat. Inter. 1972)

("even where tests are conducted under bench' or laboratory conditions, those conditions must fully duplicate each and every condition of actual use' or if they do not, then the evidence must establish a relationship between the subject matter, the test condition and the intended functional setting of the invention," but it is not required that all the conditions of all actual uses be duplicated, such as rain, snow, mud, dust and submersion in water)."

IV. REDUCTION TO PRACTICE REQUIRES RECOGNITION AND APPRECIATION OF THE INVENTION

"The invention must be recognized and appreciated for a reduction to practice to occur. "The rule that conception and reduction to practice cannot be established nunc pro tunc simply requires that in order for an experiment to constitute an actual reduction to practice, there must have been contemporaneous appreciation of the invention at issue by the inventor.... Subsequent testing or later recognition may not be used to show that a party had contemporaneous appreciation of the invention. However, evidence of subsequent testing may be admitted for the purpose of showing that an embodiment was produced and that it met the limitations of the count." *Cooper v. Goldfarb*, 154 F.3d 1321, 1331, 47 USPQ2d 1896, 1904 (Fed. Cir. 1998) (citations omitted). *Meitzner v. Corte*, 537 F.2d 524, 528, 190 USPQ 407, 410 (CCPA 1976) (there can be no conception or reduction to practice of a new form or of a process using such a new form of an otherwise old composition where there has been no recognition or appreciation of the existence of the new form); *Estee Lauder, Inc. v. L 'Oreal S.A.*, 129 F.3d 588, 593, 44 USPQ2d 1610, 1615 (Fed. Cir. 1997) ("[W]hen testing is necessary to establish utility, there must be recognition and appreciation that the tests were successful for reduction to practice to occur." A showing that testing was completed before the critical date, and

that testing ultimately proved successful, was held insufficient to establish a reduction to practice before the critical date, since the success of the testing was not appreciated or recognized until after the critical date.); Parker v. Frilette, 462 F.2d 544, 547, 174 USPQ 321, 324 (CCPA 1972) (“[an] inventor need not understand precisely why his invention works in order to achieve an actual reduction to practice”).”

An actual reduction to practice occurs when the claimed invention is actually made or performed and seen to be suitable for its intended purpose. A mere description of the invention may provide support for conception, but not for an actual reduction to practice. **The applicant must provide sufficient evidence to show that the tests were performed under actual working conditions or a realistic simulation of working conditions and that the test results are repeatable. Furthermore, the applicant must provide a showing that there was a recognition and appreciation that the tests were successful.**

MPEP 715.07 states, in part,

I. GENERAL REQUIREMENTS

“The essential thing to be shown under 37 CFR 1.131 is priority of invention and this may be done by any **satisfactory evidence of the fact. FACTS, not conclusions, must be alleged.** Evidence in the form of exhibits may accompany the affidavit or declaration. Each exhibit relied upon should be specifically referred to in the affidavit or declaration, in terms of what it is relied upon to show. For example, **the allegations of fact might be supported by submitting as evidence one or more of the following:**

- (A) **attached sketches;**
- (B) **attached blueprints;**
- (C) **attached photographs;**

(D) **attached reproductions of notebook entries;**

(E) **an accompanying model;"**

"A general allegation that the invention was completed prior to the date of the reference is not sufficient. Ex parte Saunders, 1883 C.D. 23, 23 O.G. 1224 (Comm'r Pat. 1883). **Similarly, a declaration by the inventor to the effect that his or her invention was conceived or reduced to practice prior to the reference date, without a statement of facts demonstrating the correctness of this conclusion, is insufficient to satisfy 37 CFR 1.131. 37 CFR 1.131(b) requires that original exhibits of drawings or records, or photocopies thereof, accompany and form part of the affidavit or declaration or their absence satisfactorily explained."**

"Vague and general statements in broad terms about what the exhibits describe along with a **general assertion that the exhibits describe a reduction to practice "amounts essentially to mere pleading, unsupported by proof or a showing of facts" and, thus, does not satisfy the requirements of 37 CFR 1.131(b).** In re Borkowski, 505 F.2d 713, 184 USPQ 29 (CCPA 1974). Applicant must give a clear explanation of the exhibits pointing out exactly what facts are established and relied on by applicant. 505 F.2d at 718-19, 184 USPQ at 33. See also In re Harry, 333 F.2d 920, 142 USPQ 164 (CCPA 1964) (Affidavit "asserts that facts exist but does not tell what they are or when they occurred.")."

Again, the examiner asserts that the applicant must provide **sufficient evidence** to show that actual reduction to practice occurred prior to the effective dates of the references. Simply a declaration by the inventors is not sufficient to establish actual reduction to practice, which "requires a showing that the apparatus actually existed and worked for its intended purpose" (MPEP 715.07 (III)). **The applicant is respectfully**

requested to provide actual documentation of repeated test results from tests performed in actual working conditions or in a realistic simulation of actual working conditions.

11. Lastly, the applicant states that he conceived of the invention in the United States, as recited in the currently presented claims 3 and 10-12 prior to September 26, 2002 (see Declaration of David Thomsen, 2nd paragraph). It is unclear to the examiner if this is admittance by the applicant that claims 30-35 were not conceived before September 26, 2002. Further clarification is needed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHELCIE DAYE whose telephone number is (571)272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4146080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye
Patent Examiner
Technology Center 2100
January 14, 2009

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161